

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R. Lowe et al.

Serial No.: 09/762,794 - Case No.: 20276P

Art Unit:

Filed: February 9, 2001

Examiner:

For: PROTEIN DELIVERY SYSTEM USING
HUMAN PAPILLOMAVIRUS VIRUS-LIKE
PARTICLES

The Assistant Commissioner for Patents
Washington, D.C. 20231

SEQUENCE LISTING

Sir:

REMARKS

Applicants are enclosing a copy of the Sequence Listing in computer readable form.

We the undersigned hereby state that the content of the paper and computer readable copies of the Sequence Listing are the same.

The enclosed diskette contains the Sequence Listing for case number 20276P.

Respectfully submitted,

By Joanne M. Giesser
Joanne M. Giesser
Reg. No. 32,838
Attorney for Applicants

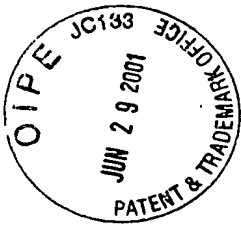
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By Joanne M. Giesser Date June 27, 2001

Merck & Co., Inc.
P.O. Box 2000
Rahway, NJ 07065-0907
(732) 594-3046

Date: June 27, 2001
Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/762794	LOWE	R 20276P
INTERNATIONAL APPLICATION NO.		
PCT/US99/17931		
I.A. FILING DATE		PRIORITY DATE
10 AUG 99		14 AUG 98

MERCK & COMPANY
P O BOX 2000
126 EAST LINCOLN AVENUE
RAHWAY, NJ 07065 0970DATE MAILED: **27 APR 2001****NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:**

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Shelby J. Vigil

Telephone: 703-305-3653



UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT DEPARTMENT

MAY -8 2001

JOANNE M. GIESSER

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/762794	LOWE R	2027-6P
INTERNATIONAL APPLICATION NO.		
PCT/US99/17931		
I.A. FILING DATE		PRIORITY DATE
10 AUG 99		14 AUG 98

DATE MAILED: 87 APR 2001

MERCK & COMPANY
P.O. BOX 2000
126 EAST LINCOLN AVENUE
RAHWAY, NJ 07065-0970

DECLARATION
6/27/01
JOCKETEL
MAY 03 2001
BARBARA REIL

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Priority Document. | |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input checked="" type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- | | |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). | |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). | |
4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

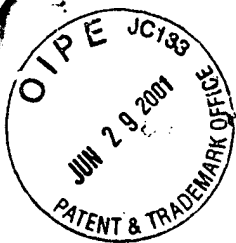
Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ PCT/DO/EO/920

SHELBY VIGIL, PARALEGAL
Telephone: 703-305-3653

FORM PCT/DO/EO/905 (March 2001)



JC14 Rec'd PCT/PTO '29 JUN 2001

ICT #
Box Seq

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	R. S. Lowe et al.		
Serial No.:	Serial No.09/762,794	Case No.:	20276P
Filed:	February 9, 2001		
For:	PROTEIN DELIVERY SYSTEM USING HUMAN PAPILLOMAVIRUS VIRUS-LIKE PARTICLES		
		Art Unit:	
		Examiner:	To Be Assigned

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION --FILING
DATE GRANTED

Sir:

This is in response to a "Notice to File Missing Parts of Application--Filing Date Granted" which was mailed on April 27, 2001. A response was mailed on March 13, 2001, a copy of which is attached.

The cover letter of the application filed February 9, 2001 contained a request to charge Deposit Account No. 13-2755 the fee of \$130, as well as any other required amount. A copy of this sheet is enclosed for the Office's convenience.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By Joanne M. Giesser Date June 27, 2001

Respectfully submitted,

By Joanne M. Giesser
Joanne M. Giesser
Reg. No. 32,838
Attorney for Applicants

Merck & Co., Inc.
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Date: June 27, 2001.